

02/23/02

JCS57 U.S. PTO

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

1000.06.003

First Inventor

AGATA, ET AL.

Title

Tumor Chemopotentiation Using Isocoumarin Derivatives

Express Mail Label No.

ET163419644US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 202311. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.3. ☒ Specification [Total Pages **48**]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **14**]5. Oath or Declaration [Total Pages **6**]

- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.767. ☐ CD-ROM or CD-R in duplicate, large table
Computer Program (Appendix)8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: **09/794,417**Prior application information: Examiner **Jerome D. Goldberg**Group / Art Unit: **1614**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

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Name

PATENT TRADEMARK OFFICE

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City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

STEPHEN J. MOLONEY

Registration No. (Attorney/Agent)

44,947

Signature

Date

Feb 22, 2002

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

Complete if Known☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT****\$412.00**

Application Number

Filing Date

02/22/02

First Named Inventor

AGATA, ET AL.

Examiner Name

Group Art Unit

Attorney Docket No.

1000.06.003

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

501786

Deposit
Account
Name

-- ILEX-ONCOLOGY, INC. --

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	370.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					\$370.00

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims		Fee from below	Fee Paid
Total Claims	Independent Claims		
20	4	0	0.00
-20** =	-3** =	1	42.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

\$42.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

SUBMITTED BY

Name (Print/Type) STEPHEN J. MOLOONEY

Registration No.
(Attorney/Agent)

44947

Complete (if applicable)

Telephone

210 949 8273

Signature

Date

Feb 22 2002

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Stephen J. Moloney, Ph.D., J.D.
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Intellectual Property

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February 22, 2002

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

VIA EXPRESS MAIL # ET163419644US

Patent Application for: TUMOR CHEMOPOTENTIATION USING ISOCOUMARIN DERIVATIVES
Inventors: Agata & Kharbanda

Dear Sir:

Enclosed please find the following in the above-referenced matter:

1. Utility Patent Application Transmittal Sheet;
2. Fee Transmittal for FY 2002 plus 1 copy;
3. Utility Patent Application;
4. 14 sheets of drawings; and
5. Return receipt postcard.

Commissioner is hereby authorized to charge the filing fee for the above referenced application, in the amount of \$412.00, to Deposit Account No. 501786. Further, under 37 CFR §§ 1.16 and 1.17, Commissioner is authorized to charge any deficiency in fees in this matter to the same deposit account. Please associate this file with Customer No. 31076.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Moloney".
Stephen J. Moloney
Reg. No. 44,947

ILEX ONCOLOGY, INC.
4545 HORIZON HILL
SAN ANTONIO TX 78229-2263

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): AGATA, ET AL.

Docket No.

1000.06.003

Serial No.

Filing Date

02/22/02

Examiner

Group Art Unit

Invention: TUMOR CHEMOPOTENTIATION USING ISOCOUMARIN DERIVATIVES

I hereby certify that the following correspondence:

FEE TRANSMITTAL FY 2002 + 1 COPY

(Identify type of correspondence)

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02/22/02

(Date)

FRANCES WINKLER

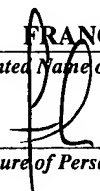
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Applicant(s): AGATA, ET AL.			
Serial No.	Filing Date 02/22/02	Examiner	Group Art Unit
Invention: TUMOR CHEMOPOTENTIATION USING ISOCOUMARIN DERIVATIVES			
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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): AGATA, ET AL.

Docket No.

1000.06.003

Serial No.

Filing Date

02/22/02

Examiner

Group Art Unit

Invention: **TUMOR CHEMOPOTENTIATION USING ISOCOUMARIN DERIVATIVES**

I hereby certify that the following correspondence:

14 Pages of Informal Drawings*(Identify type of correspondence)*

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02/22/02*(Date)***FRANCES WINKLER***(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)***ET163419644US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**